



Illinois Ethics Matters

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Honesty, Integrity, Service

A newsletter from the Office of Executive Inspector General for the Agencies
of the Illinois Governor

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Recent News

On May 1, 2012, the Executive Ethics Commission (EEC) issued a decision related to matters investigated by the OEIG. Below is a summary of the decision:

- **Meza v. Rush**, 11-EEC-013, involved a former Department of Juvenile Justice employee who falsified State documents and failed to cooperate. The EEC fined Ms. Rush \$500.

In addition, on April 27 and May 10, 2012, the EEC released four redacted OEIG final reports:

- **In re: Illinois Department of Transportation**, 08-01116, involved the improper use of over \$600,000 in transportation funds.
- **In re: Robert Schmalholz**, 10-01026, involved a Dept. of Financial and Professional Reg. employee who violated agency policies and firearms laws. Mr. Schmalholz resigned.
- **In re: Michael Stout**, 10-00605, involved the Department of Transportation's former Director of Traffic Safety who engaged in multiple instances of official misconduct. Mr. Stout resigned.
- **In re: Joseph Trickey, et al.**, 11-00125, involved former Northern Illinois University employees who submitted false time sheets and their supervisor, who knowingly signed the false time sheets. Supervisor Joseph Trickey received a three-day suspension.

Also, on May 11, 2012, the EEC issued a decision regarding the Attorney General's appeal of an OEIG revolving door determination:

- **In re: Pauline J. Clements**, 12-EEC-010, the Commission agreed with the Attorney General's appeal, vacated the OEIG's determination, and concluded that Ms. Clements was *prohibited* from accepting an offer of part-time employment.

Revolving Door Employment Appeals



As explained in last month's newsletter, the Ethics Act prohibits State employees from accepting some non-State employment or compensation offers when leaving the State's payroll. Under certain circumstances, departing employees are required to notify the OEIG prior to accepting such an offer so that the OEIG may make a determination as to whether the acceptance of the offer is allowable under the law.

OEIG revolving door determination letters are being revised to make clear that the revolving door determination process is not complete:

- until such time as any appeal of our determination is made by either an employee or the Illinois Attorney General; and,
- if our determination is appealed, until the EEC issues its decision.

In other words, OEIG determinations may not necessarily be final and if an appeal is taken, the EEC's decision will be controlling with regard to whether the employee may or may not accept the prospective employment offer.

In any event, when an appeal is filed, administrative rules allow the affected State employee or the Attorney General to file an objection to the appeal and interested parties may submit written public comments.

Kristy Shores Deputy Inspector General, Complaints and Compliance

Transparency Legislation Update

The OEIG will continue to promote legislative efforts aimed at increasing the number of investigative reports made public.

Legislation remains pending and the OEIG will continue to work with State Rep. Fred Crespo and others in an effort to enact such legislation during this legislative session.

The present language can be found in Amendment #1 to House Bill 4191.

Jessica Reese
Legislative Assistant
Inspector General

Calendar of Events: May 24, 2012: OEIG investigative staff will attend surveillance training at the Illinois State Police Academy, Springfield. June 21, 2012: Deputy Inspector General Neil Olson will address the Illinois Government Bar Association.